

PATENT
ATTORNEY DOCKET NO.: 053847-5002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents

MAIL STOP PATENT APPLICATION



TRANSMITTAL FOR A CONTINUATION APPLICATION
UNDER 37 C.F.R. §1.53(b)

This is a request for a Continuation Application from PCT/JP02/00180 under 37 C.F.R. §1.53(b) for:

Inventor: Masami MASUKO

For: WHETSTONE PELLET, WHETSTONE, PROCESSES FOR PRODUCING THEM,
PROCESS FOR PRODUCING OPTICAL ELEMENT USING WHETSTONE, AND PROCESS
FOR PRODUCING EXPOSURE APPARATUS

1. This is a new ☒ Utility ☐ Design ☐ Plant patent application.

2. The papers enclosed to obtain a filing date are as follows:

59 Pages of Specification including:

0 Title Page

52 Pages of Description

6 Pages of Claims

1 Page of Abstract

9 Sheets of drawings containing 26 Figures

☐ The enclosed drawings are photographs, and there is also attached a
PETITION TO ACCEPT PHOTOGRAPH(S) AS DRAWING(S)

3. Combined Declaration and Power of Attorney



Enclosed and is executed by all inventors



Not Enclosed.

This application is being filed under the provisions of 37 C.F.R. §1.53(f).
Applicant(s) await notification from the Patent and Trademark Office of
the time set for filing the Declaration and paying the filing fees.

4. Language

- ☒ English
☐ Non-English

This application is being filed in accordance with 37 C.F.R. §1.52(d) and §608.01 of the MPEP. Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the verified English translation and the processing fee.

5. Assignment

- ☐ An assignment of the invention to _____ and a PTO Form-1595, Recordation Form Cover Sheet, are enclosed.
☒ An assignment will be filed at a later date.

6. Priority - foreign applications under 35 U.S.C. §119(a)-(d) or §365(b) or PCT international applications under 35 U.S.C. §365(a) designating at least one country other than the U.S.

☒ Priority of the following foreign application is claimed:

Country	Application No.	Filed
Japan	2001-7794	January 16, 2001
Japan	2001-200383	July 2, 2001

Certified copy: ☐ is attached. ☒ will follow.

7. Priority based on an International Application

☒ Priority of the following international application under 35 U.S.C. § 120 and/or 35 U.S.C. § 365(c) is claimed:

Application No.	Filed
PCT/JP02/00180	January 15, 2002

A. Relate Back - 35 U.S.C. §120

- ☒ Amend the specification by inserting between the title and the "Related Art" heading the sentence: "This application is a continuation of PCT/JP02/00180 filed January 15, 2002."

9. Fee Calculation (37 C.F.R. §1.16)

	Number Filed	Number Extra	at Rate of	Basic Fee Utility \$750.00 Design \$330.00
			BASIC FEE	750.00
Total Claims (37 C.F.R. §1.16(c))	19- 20 =	0	18.00	
Independent Claims (37 C.F.R. §1.16(b))	7- 3 =	4	84.00	336.00
Multiple dependent claim(s), if any (37 C.F.R. §1.16(d))			280.00	
SUB-TOTAL =				1086.00
Reduction by 1/2 for filing by a small entity				
SUB-TOTAL =				1086.00
Assignment Recordation Fee			\$40.00	
TOTAL FILING FEE =				\$1086.00

10. Fee Payment

- ☐ Not Enclosed. **NO FEE IS BEING PAID BY CHECK OR DEPOSIT ACCOUNT AT THIS TIME.**
This application is being filed under the provisions of 37 C.F.R. §1.53(f). Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the Declaration and paying the filing fees.
- ☒ Please charge Deposit Account No. 50-0310 in the amount of \$1086.00 representing the basic filing fee of \$750.00 and the additional independent claim fee of \$336.00.

11. ☒ **Except** for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

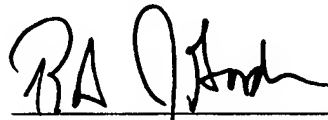
12. Additional papers enclosed:

- ☐ Preliminary Amendment
- ☐ Information Disclosure Statement
- ☐ Form PTO-1449, _____ document included
- ☐ Declaration of Biological Deposit
- ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

Please accord this application an application number and filing date.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP



Robert J. Goodell, Reg. No. 41,040

Dated: July 15, 2003

Customer No. 09629

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